THE HON'BLE SRI JUSTICE N.V. RAMANA

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W.P. No. 15364 of 2007

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Oral order:

Assailing the action of the respondents-AP TRANSCO in not selecting and appointing the petitioner as Junior Lineman despite his passing in the Pole climbing test, the petitioner filed the present writ petition.

After several adjournments, the 3rd respondent filed counter *inter alia* contending that the petitioner was not selected as he did not produce the experience certificate.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-AP TRANSCO.

Though the respondents contend that the case of the petitioner was rejected since he did not enclose the experience certificate along with the application, the fact remains, it is the specific case of the petitioner that he submitted his application enclosing the experience certificate. In fact, the petitioner to substantiate his contention that he worked with the respondents, along with the writ petition, filed typed copy of the experience certificate dated 31.05.2007, said to have been issued by the Divisional Engineer (Electrical), Chandrayangutta, which shows that the petitioner has been working with the respondents since 01.06.2005 and that he was on the rolls of the respondents as on the date of its issuance. This Court, upon perusing the same, directed the learned Standing Counsel to verify the genuineness of the same. The learned Standing Counsel for the respondents, who got the experience certificate verified by the respondents, reported that the experience certificate filed by the petitioner was found to be genuine. Since the experience certificate produced by the petitioner was found to be genuine, the contention of the respondents that the petitioner did not enclose the experience certificate along with the application, cannot be believed. The petitioner, being an employment seeker, cannot be said to have not enclosed the experience certificate along with the application, and more so when he was working with the respondents, and the experience certificate filed by him along with the writ petition, was found to be genuine by the respondents themselves.

Now that the experience certificate filed by the petitioner along with the writ petition showing that he was working and was on the rolls of the respondents as on the date of issuance of the notification, was found to be genuine by the respondents upon verification, and having regard to the fact that the petitioner is also said to have passed the Pole climbing test, I am of the considered opinion that there should be no reason for the respondents to deny employment to the petitioner. Hence, I deem it appropriate to dispose of the writ petition with the following directions:

The respondents are directed to appoint the petitioner as Contract Junior Linemen, if he is otherwise qualified, within a period of four weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Dated: 14th September, 2007.
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